

## STATE JOINT TRAVEL REGULATIONS

### JUDICIAL BRANCH TRAVEL POLICY

#### I. Scope

This policy applies to all travel for official business undertaken by judges, officials and employees of the Judicial Branch of State Government. This policy does not apply to the Orphans' Court or any person who is compensated by a political subdivision and not the State.

#### II. Definitions

In this Policy, the following terms have the meaning indicated:

- A. "Commute Miles" means the distance traveled between an individual's residence and his/her principal office assignment.
- B. "In-State Travel" means travel within Maryland and includes the District of Columbia.
- C. "Office" means the normal place of business of a judge, official or employee.
- D. "Official Business" means the authorized duties and responsibilities of an individual's position.
- E. "Out-of-Country Travel" means travel destinations outside the United States, its territories, and Canada.
- F. "Out-of-State Travel" means travel destinations outside Maryland and the District of Columbia.
- G. "Travel Status" means a judge, official or employee is engaged in traveling on Judiciary business. Travel status does not include commuting from place of residence to principal office location.

#### III. Policy

##### A. General

Each judge, official, employee, and any other person subject to this policy is to exercise restraint and prudence when incurring travel-related expenses to control costs. Expenses deemed unnecessary or excessive will not be reimbursed. Any exceptions to this policy require the approval of the Chief Judge of the Court of Appeals.

B. Travel Coordinator

The Judicial Branch shall designate an individual in the Administrative Office of the Courts as the Judiciary's Travel Coordinator. This individual will be responsible for the administration and enforcement of this policy. All travel-related requests for reimbursement will be submitted on the Judicial Branch Expense Account or a pre-approved form to the Travel Coordinator for review and transmission to the Finance Department for payment.

C. Use of Privately-Owned Vehicles - Mileage Reimbursement

Reimbursement is based on mileage incurred for all official business when using a privately-owned vehicle, which includes and applies to work days, after-hours travel and travel on weekends and holidays. Attendance at programs not mandatory is not eligible for reimbursement, whether sponsored by the Judiciary or other State agencies (e.g., retirement seminars). The reimbursement rate shall be determined by the Chief Judge of the Court of Appeals by separate order.

1. All mileage accumulated in travel from the office to another location and return to the office.
2. All mileage in excess of normal, one-way commute miles when making one or more stops for official business before proceeding to the office.
3. All mileage in excess of normal one-way commute miles when making one or more stops for official business before arriving home from the office.
4. All mileage when travel does not include a stop in the office.
5. A judge performing trial court duties in any location other than his/her office and outside of his/her county of residence is entitled to reimbursement for expenses.
6. All parking charges, ferry, bridge, tunnel and road tolls actually incurred in connection with travel related to official business is reimbursable.

D. Related-Travel Expense Reimbursement

Reimbursement is authorized only for necessary travel and related expenses incurred by the employee. Reimbursement requests are to be submitted no more than 90 days after the subject travel.

1. Public Transportation

- a. Taxi or van fares, whichever is less costly, to and from airports, railroad or bus terminals is reimbursable.
- b. Rental cars may be used only when means of public transportation are not available, more costly, or impractical. Use of a rental car is subject to the approval of the Chief Judge of the Court of Appeals or the Chief Judge's designee. This approval is to be in writing.

2. Meals

- a. Meal allowances are established by the Chief Judge of the Court of Appeals by a separate order. All reimbursements shall be accompanied by original receipts showing the expenditures actually incurred.
- b. All meals are reimbursable if an individual is in travel status on official business which, under this policy, would permit overnight lodging.
- c. Reimbursement shall not be made for alcoholic beverages.
- d. The cost of breakfast is reimbursable when an individual in travel status is required to leave home on official business 2 hours or more before the individual's normal start time. Correspondingly, the cost of dinner is reimbursable when an individual in travel status cannot return home within 2 hours after the individual's normal end time. In both instances, the 2 hours are in addition to the individual's normal commuting time.
- e. When an individual meets both of the conditions in 2. d., and is in travel status for the entire day, but not overnight, lunch also is reimbursable.
- f. Specific to judge travel, meal reimbursement is further regulated by Courts and Judicial Proceedings Article, § 1-706.
- g. If the registration fee for a conference, convention, seminar or training meeting includes the full or partial cost of meals, reimbursements for such meals may not be requested.
- h. Meal reimbursement above the standard limit is allowable for individuals conducting business in high cost areas. The reimbursement rate for high costs areas shall be designated by the Chief Judge of the Court of Appeals by separate order. Employees

shall be reimbursed for actual amounts based on receipts, not to exceed limits set by the Chief Judge.

- i. Meal costs in excess of those authorized by the Chief Judge of the Court of Appeals may be reimbursed if the meal involves entertainment of a visiting dignitary, or if the Chief Judge of the Court of Appeals or the Chief Judge's designee approves the expenditure.

3. Lodging

- a. Hotel bills incurred while in travel status on official business will be reimbursed on the basis of actual charges incurred. A claim for reimbursement may not include the expense of a spouse, family member or other non-allowable individuals.
- b. Reimbursement for overnight lodging is available only when the judge, official, or employee is more than fifty miles from their office/regular place of business. See appendix for authorized distances.
- c. Any exceptions to the fifty-mile lodging must be approved by the Chief Judge of the Court of Appeals or the Chief Judge's designee.
- d. Specific to judge travel, reimbursement is further regulated by Courts and Judicial Proceedings Article, § 1-706.

4. Telephone and Postal Expenses

Telephone and postal expenses incurred in the performance of official duties are reimbursable while in travel status. Original receipts must be submitted with the reimbursement.

5. Cleaning Expenses

Necessary laundry, cleaning and pressing is reimbursable when travel status exceeds 5 consecutive days involving overnight accommodations. Original receipts must be submitted with the reimbursement.

6. Porter Fees and Tips

Porter fees and tips connected to assistance with luggage is reimbursable at reasonable rates.

E. Out-of-State Travel

All out-of-state travel requires the written approval of the Chief Judge of the Court of Appeals or the Chief Judge's designee prior to the travel. This is in connection with attendance at meetings, conventions, conferences, seminars and education or training functions, and the like. For purposes of this policy, meetings in the District of Columbia which do not require overnight stay are not considered out-of-state travel. No reimbursement is authorized for out-of-state travel performed without prior approval. The prior written approval for out-of-state travel is to accompany any reimbursement.

F. Use of State-Owned Vehicles

1. Authorization

If state-owned vehicles are available for travel, these vehicles should be used. The Chief Judge of the Court of Appeals (with respect to judges and staff of that Court, as well as court-related agencies); the Chief Judge of the Court of Special Appeals (with respect to judges and staff of that Court); and the Chief Judge of the District Court (with respect to judges and staff of that Court) is each respectively empowered to authorize and require travel by privately-owned vehicles when non State-owned vehicle is available. Since State-owned vehicles are not available to judges other than the Chief Judge of the Court of Appeals and the Chief Judge of the District Court, every judge is authorized to perform travel in a privately-owned vehicle.

2. Reporting on Mileage

All commute miles and official mileage in a State-owned vehicle is to be recorded on the appropriate form. If a person leaves home, makes one or more stops on official business and proceeds to the office, one-way commute mileage should be entered on the appropriate form. If a person leaves the office and makes one or more stops on official business and proceeds home, the person is to enter one-way commute mileage on the appropriate form. If a person leaves home and proceeds to a destination on official business, not stopping at the office, no commute miles need be entered. This procedure applies to any normal working day, after hours travel on official business, and travel on official business on Saturdays, Sundays, and holidays.

3. Reimbursement

- a. A person using a State-owned vehicle is not entitled to reimbursement for mileage.

- b. Reimbursement for parking charges, ferry, bridge, tunnel and road tolls is authorized, except for those individuals assigned State-authorized toll books.

#### 4. Commuting Charges

Except as otherwise provided, all State employees who use a State vehicle for commuting purposes shall be subject to a commute charge to be collected by payroll deduction each pay period. The Chief Judge of the Court of Appeals shall determine the Commute Rate Deduction by a separate order. Moreover, use of a State-provided vehicle for commuting purposes or non-official business, including use of a pool vehicle, is considered income to the employee for income tax purposes. A pool vehicle may only be used for business purposes.

##### a. Exceptions

All other drivers who are assigned State vehicles will be subject to the commute charge except those exempted by the Chief Judge of the Court of Appeals. These exemptions can be made only if the exemption, on balance, serves to benefit the State and not the individual driver and only after the Chief Judge of the Court of Appeals or the Chief Judge's designee has made a determination that the vehicle assignment comes within any of the following conditions:

- (1) Assigned vehicle is not used to commute but remains garaged overnight at headquarters.
- (2) Vehicle is assigned to an employee whose duties are primarily field assignments and who reports to the designated office on an average of once a week or less as certified by the Chief Judge of the Court of Appeals. An exception to this rule may be granted by the Chief Judge of the Court of Appeals or the Chief Judge's designee when granting use of a vehicle for field assignments would result in a demonstrable cost savings to the State, even if the employee averages more than one visit a week to his or her designated office.

#### 2. Policies

- a. Any assignment of State vehicles by the agency to individuals shall be made solely on requirements for official use. Commuting usage shall only be considered in terms of evaluating the overall cost-effectiveness of the assignment.

- b. Pool vehicles shall be restricted to official business use only. A pool vehicle is a vehicle owned by the State that is available for regular use for official business by employees in a unit. A pool vehicle may not be assigned to any one employee for long-term use. If, contrary to this policy, a pool vehicle is used for non-official purposes, the employee is responsible for maintaining records sufficient to document the extent of non-official use and to transmit those records to the Fleet Manager within two weeks.
- 3. Except as otherwise provided, all State employees who use a State vehicle for commuting purposes shall be subject to a commute charged to be collected by payroll deduction each pay period.